UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS ENTERED

MAR - 8 1990

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS

lesse E. Clark, Clerk By Deputy: Goyce Greenhaw	
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§ §	ORDER	NO.	90-9
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IT IS HEREBY ORDERED that the General Order Providing Forfeiture of Collateral in Lieu of Appearance, entered April 21, 1986, is hereby amended pursuant to the provisions therein to include all changes affecting:

> Exhibit A - Military Reservations Exhibit B - National Park Service Exhibit C - Fish and Wildlife Violations Exhibit D - Veteran's Administration Property Exhibit E - Corps of Engineers Exhibit F - GSA Property (no changes were made) Exhibit G - Forest Service

The above constitutes the Order of this Court.

Exhibit H - Bureau of Land Management

He day of DONE this 1990 at Houston, Texas.

> NORMAN W. BLACK United States District Judge

(for the Court)

(Eff. 3/1/90)

EXHIBIT "B" NATIONAL PARK SERVICE

TITLE 36 CODE OF FEDERAL REGULATIONS

TITLE 36 CODE OF FEDERAL REGULATIONS	
PART 1. GENERAL PROVISIONS	
1.5 CLOSURE OF PUBLIC USE LIMITS f.	50.00
1.6 PERMITS h.	100.00
PART 2. PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES	
2.1 A. The following are prohibited: 1. Possession, destroying, injuring, defacing, removing, digging, or disturbing from its natural state: i. Living or dead wildlife or fish ii. Plants or parts of plants iii. Non-fossilized and fossilized specimens, etc. iv. mineral resource or cave formation 2. Introducing wildlife, fish or plants into park area 3. Rock throwing, etc., in caves, down hills, into thermal features, etc., 4. Using or possessing wood from within the park 5. Walking or climbing, etc., on an archeological or cultural resource, monument or statue	200.00 200.00 200.00 200.00 200.00 100.00
6. Possessing, disturbing, etc., a structure, or cultural or archeological resource 7. Possession or use of a mineral or metal detector, etc., B. Leaving the trail, shortcutting in	100.00
restricted areas, etc.,	25.00
3. The following are prohibited:	
 i. Gathering or possessing undesignated natural products ii. Violation of size or quantity limits of natural products iii. Removal of natural products 	50.00 50.00 200.00

	iv. Gathering natural products outside of designated areasv. Sale or commercial use of natural products	50.00 *
2.2 WILDI	JIFE PROTECTION	
Α.	The following are prohibited: 1. Taking of wildlife 2. Disturbance of wildlife 3. Possessing unlawfully taken wildlife	250.00 100.00 200.00
в.	 Discharging of firearms, except where hunting is allowed Hunting not in accordance with 	200.00
٥.	Federal and State law	500.00
D.	Violation of conditions or procedures for transporting wildlife through park area	50.00
E.	Viewing wildlife with artificial light in closed areas	50.00
2.3 FISH	IING	
Α.	Non-conflicting State law adopted as part of the regulation	100.00
D.	The following are prohibited: 1. Fishing in fresh water in manner other than with hook and line 2. Possessing or using unauthorized bait or non-preserved roe, etc., 3. Chumming, etc., not allowed 4. Commercial fishing except where specifically authorized 5. Fishing by use of drugs, poisons, explosives or electricity 6. Digging for bait 7. Failure to return immediately to water unauthorized or unwanted fish 8. Fishing from or within 200 feet of bridge or within limits or designated swimming, surfing area or public dock	50.00 50.00 50.00 * 100.00 25.00 50.00
E.	Fishing with spear, net or weapon shall be in accordance with State law	50.00

2.4 WEAPONS, TRAPS and NETS

A. Possessing, using, discharging or carrying

	в.	a weapon, trap or net Carrying or possessing a loaded weapon in a motor vehicle, vessel or other mode of	100.00
		transportation that is under way or being used as shooting platform	100.00
	c.	Endangering person or property by use of weapon, trap or net	200.00
	D.	Violation of permit to carry or possess	200.00
	-	weapon, trap or net	100.00
	F.	Carrying or possessing weapon, trap or net must be in compliance with Federal and State regulations	100.00
2.5	RESE	ARCH SPECIMENS	
	A.	Taking plants, fish, wildlife, rocks or	
		minerals not in accordance with permit conditions	200.00
	н.	Violation of the terms and conditions of	
		permit	200.00
2.10	CAMP	ING AND FOOD STORAGE	
	в.	The following are prohibited:	
		 Digging or leveling of ground Leaving equipment, alterations, or 	50.00
		refuse	100.00
		3. Camping within 25 feet of hydrant, main road or within 100 feet of body	
		of water, except as designated	50.00
		4. Creating unreasonable noise between hours of 10:00 PM - 6:00 AM	50.00
		5. Installation of permanent camping	50.00
		facilities	50.00
		6. Display of wildlife carcasses7. Connection to utility system	50.00
		 Connection to utility system Failure to obtain permit 	50.00 50.00
		9. Violating Superintendent's	30.00
		established conditions	50.00
		10. Camping outside of designated sites or areas	50.00
	c.	Violation of permit conditions	50.00
	•	VIOINCION OF PERMIT CONGICIONS	30.00
	D.	Failure to properly store food, etc.	50.00
2.11	PICN	ICKING	
		icking in closed areas or in violation of blished conditions	25.00

2.12 AUTO DISTURBANCES

А.	The following are prohibited: 1. Operation of motorized equipment, or audio device in a manner exceeding: i. Exceeds noise level of 60 decibels ii. Reasonable noise 2. Operating power saw without permit in developed areas 3. Operating motor or engine without permit in undeveloped areas 4. Operating public address system without permit Violation of terms and conditions of a permit	50.00 50.00 50.00 100.00
0 12 ETD	-	
2.13 <u>FIRE</u> A.	The following are prohibited: 1. Fire in undesignated area 2. Stove or lantern in undesignated area 3. Stove or lantern creating public safety hazard 4. Unattended fire 5. Lighted or smoldering material discarded in manner to create public	100.00 75.00 75.00 200.00
n	safety hazard	200.00 100.00
В.		100.00
2.14 <u>SANI</u>	TATION AND REFUSE	
A.	 The following are prohibited: Disposing of refuse improperly Use of Government receptacles for unauthorized refuse Depositing refuse in plumbing or toilets Draining trailer or vehicle in unauthorized area Bathing or washing materials at 	50.00 50.00 100.00 100.00
	public water outlets	75.00
	 Polluting or contaminating park area waters 	250.00
	7. Disposing of fish remains within 200 feet of docks, beaches, or other developed areas	50.00
	8. Improper disposal of human body waste	
	in developed areas Disposal of human body waste within feet of water, campsite, or within sight of trail in undeveloped 	100.00

		areas	100.00
	В.	Violation of disposal, containerization, or carryout conditions	50.00
2.15	PETS		
	Α.	The following are prohibited: 1. Possessing pet in closed area 2. Failure to crate, cage, or restrain pet on leash not to exceed six feet (failure to physically confine pet	50.00
		at all times) 3. Unattended pet left tied to an object 4. Allowing pet to make unreasonable	50.00 50.00
		noise 5. Failure to dispose of pet excrement	50.00
	в.	properly Pets used in hunting activities must be	50.00
	E.	in accordance with Federal and State laws Violation of conditions by resident	100.00 25.00
2.16	HORS	ES AND PACK ANIMALS	
	The	following are prohibited:	
	A.	Undesignated animals being used for pack animals	25.00
	В.	Horses or pack animals in undesignated areas	50.00
	c.	Use of horses or pack animals on park roads	25.00
	D.	"Free-Trailing" or loose-herding of horses or pack animals in undesignated areas	100.00
	Ε.	Failure to slow horse or pack animals to walk when passing pedestrians or bicycles	50.00
	F.	Trail obstruction, or unreasonable noise while horses or pack animals are passing	50.00
	G.	Violation of conditions established by Superintendent	25.00
2.17	AIRC	RAFT AND AIR DELIVERY	
	A. 1.	The following are prohibited: Operating aircraft in undesignated areas	100.00
	2.	Operating within 500 feet of beaches, docks, piers, ramps in designated areas	100.00
	3.	Delivering or retrieving a person or object by airborne means, except in an	
	c.	emergency	250.00
	2.	Removal of down-aircraft	*

	D. E. F.	Use of aircraft shall be in accordance with FAA regulations Hovercraft is prohibited Violation of terms and conditions of a permit	100.00 100.00 100.00
2.18	SNOW	MOBILES	
	B. C. D.	State laws shall govern equipment standards and operation Use of snowmobile prohibited, except in designated areas The following are prohibited: 1. Operating a snowmobile that makes	25.00 25.00
		excessive noise 2. Operating without a lighted white headlamp and a red taillight, from 1/2 hour after sunset to 1/2 hour before sunrise during designated hours	50.00
		3. Operating a snowmobile with brakes	
		not in good working order 4. Racing or operating in excess of 45	50.00
	Ε.	MPH or the posted limit Except where State law prescribes, the	50.00
	E.	following are prohibited: 1. Operation of snowmobile by person under 16 unless in line of sight by	
		person 21 years old 2. Operation of snowmobile by person under 12 unless accompanied on	50.00
		machine by person 21 years old 3. Supervising more than 1 person under 16	50.00 50.00
2.19	WINT	ER ACTIVITIES	
	A.	Skiing or sledding on road or posted area	25.00
	В.	Towing skiers or sledder in unauthorized	
	c.	area Failure to abide by designation or	25.00
		restrictions	25.00
2.20	SKAT	ING, SKATEBOARDS, AND SIMILAR DEVICES	
	coas	of roller skates, skateboards, roller skis, ting vehicles, is prohibited except in gnated areas	25.00
2.21	SMOK	ING	
	A.	Smoking not allowed in designated areas	50.00

	в.	Smoking is prohibited in caves	50.00
2.22	PROP	ERTY	
	Α.	The following are prohibited: 1. Abandoning property 2. Leaving property unattended for longer than 24 hours 3. Failure to turn in property to Superintendent	100.00 25.00 50.00
2.23	RECRI	EATION FEES	
	в.	Failure to pay required fees	25.00
2.30	MISA	PPROPRIATION OF PROPERTY AND SERVICES	
2.31	TRESI	The following are prohibited: 1. Unlawful possession of another's property 2. Obtaining property or services without making payment 3. Obtaining property or services by means of deception or using fraudulently obtained credit cards or non-negotiable paper 4. Shoplifting or paying less by deception is prohibited 5. Acquiring or possessing stolen property PASSING, TAMPERING AND VANDALISM The following are prohibited:	* 100.00 * 100.00 *
		 Trespassing on property not open to public Unlawful tampering with personal property Destroying, injuring, defacing or damaging property 	100.00 100.00 200.00
2.32	INTER	REFERING WITH AGENCY FUNCTIONS	
	А.	The following are prohibited: 1. Any interference with a Government employee engaged in an official duty or on account of the performance of an official duty 2. Failure to obey a lawful order 3. Giving false information i. To authorized person investigating an accident or	* 50.00

		violation of law ii. On application for permit 4. False report to authorized person	100.00 100.00 *
2.33	REPO	RT OF INJURY OR DAMAGE	
	В.	Failure to report incident resulting in injury to persons or damage to property in excess of \$300.00	50.00
2.34	DISO	RDERLY CONDUCT	
	A.	 The following are prohibited: Fighting, threatening or violent behavior Offensive or abusive utterance, gesture, or display, etc. Unreasonable noise, etc. Creation of hazardous or offensive condition 	100.00 100.00 50.00
2.35	ALCO	HOLIC BEVERAGES AND CONTROLLED SUBSTANCES	
	В. С.	Alcoholic beverages 2. The following are prohibited: i. Sale or gift of alcohol to person below legal minimum age ii. Possession of alcohol by person below legal minimum age 3. Consumption of alcohol in an area closed to drinking Controlled substances 1. Delivery of controlled substance 2. Possession of controlled substance Presence in park while under the influence of alcohol or controlled substance to a degree or that may endanger persons or property	200.00 50.00 50.00 250.00 100.00
2.36	GAMBI	LING	
	A.	Gambling is prohibited	50.00
2.37	NON-C	COMMERCIAL SOLICITING	
	Solic prohi	citing gifts, money, goods or services is ibited	25.00
2.38	EXPLO	DSIVES	
	A.	Unauthorized use or possession of explosives	500.00

	в.	Unauthorized use or possession of	
	c.	fireworks Violation of terms and conditions of a	75.00
	C.	permit is prohibited	300.00
		-	
2.50	SPEC.	IAL EVENTS	
	E.	Violation of terms and conditions of a permit is prohibited	250.00
2.51	PUBL:	IC ASSEMBLIES, MEETINGS	
	A. H.	Public spectator attraction without permit Persons engaged in activities covered under this section are prohibited from	100.00
		obstructing, impeding, or harassing park visitors	100.00
2.52	SALE	OR DISTRIBUTION OF PRINTED MATTER	
		Gala an distribution of muinted matter	
	A.	Sale or distribution of printed matter without a permit is prohibited	50.00
	H.	Interference with traffic or harassment	
		of park visitors	50.00
2.60	LIVE	STOCK USE AND AGRICULTURE	
	A.	The illegal or unauthorized herding, pasturing, or grazing of livestock is	
		prohibited	50.00
	в.	Violation of terms and conditions	100.00
2.61	RESI	DING ON FEDERAL LANDS	
	A.	Unauthorized residence on Federal lands	100.00
	в.	Violation of permit is prohibited	100.00
2.62	MEMO	RIALIZATION	
	A.	Memorialization is prohibited	50.00
	в.	Scattering of human ashes is prohibited	E0 00
	c.	without a permit Violation of area designations and	50.00
		established conditions	50.00
	D.	Violation of terms and conditions of a	50.00
		permit is prohibited	20.00

PART 3. BOATING AND WATER USE ACTIVITIES

3.1 APPLICABLE REGULATIONS

	A.	Title 14, U.S.C., title 33 CFR, Title 46 CFR, Title 49 CFR, and State laws and regulations shall apply	50.00
3.2		ONAL PARK SERVICE DISTINCTIVE TIFICATION	
•	в.	Use of NPS identifying insignia is prohibited	100.00
3.3	PERM	<u>ITS</u>	
	A. B.	Failure to secure required permit Violation of terms and conditions of a permit is prohibited	100.00
3.4	ACCI	<u>DENTS</u>	
	в.	Failure to report incident to Superintendent	50.00
3.5	INSP	<u>ECTIONS</u>	
	c.	Violations of directions are prohibited	50.00
3.6	PROHIBITED OPERATIONS		
	The	following are prohibited:	
	A.	Operating or allowing another to operate in a reckless or negligent manner likely	
	в.	to endanger person or property Operating under the influence of alcohol	50.00
	c.	or controlled substance Failure to observe posted regulation	200.00 50.00
	D.	Operating in excess of 5 MPH or creating a wake:	
		 In designated area Within 100 feet of diver's marker, 	50.00
	170	downed skier, or swimmer	50.00
	E.	Operating motorized vessel within 500 feet of swimming beach or operating in excess	-
		of 5 MPH in areas restricted to less than 500 feet passage, or creating wake	200.00
	F.	Allowing riding on gunwales, transom or over bow while operating in excess of 5MPH	100.00
	G.	Attaching or interfering with navigational aid	50.00
	H.	Using a trailer to launch or recover at undesignated sites	100.00
	I.	Launching a motorized vessel at undesignated site	50.00

3.7	 J. Operating a propelled vessel on water not directly accessible by road K. Launching or operating airboats L. Operation in excess of designated size, length or width restrictions NOISE ABATEMENT	50.00 50.00 50.00			
	Operating upon inland waters so as to exceed noise level of 82 decibels	50.00			
3.20	WATER SKIING				
	A. Towing in undesignated area B. The following are prohibited:	50.00			
	 Towing between the hours of sunset and sunrise 	100.00			
	 Towing without having lookout, other than operator 	100.00			
	 Towing without approved flotation device, 	50.00			
	4. Towing within 500 feet of designated harbors, beaches, mooring areas, or within 100 feet of fisherman, swimmer, or diver's marker	100.00			
3.21	SWIMMING AND BATHING				
	A. The following are prohibited: 1. Swimming or bathing in closed area 2. Swimming or bathing in areas of designated restrictions 3. Swimming from vessels which are	50.00 25.00 50.00			
	underway B. Violation of conditions of swimming				
	beaches	50.00			
3.22	SURFING				
	Surfing in designated swimming beach area	50.00			
3.23	SCUBA AND SNORKELING				
	The following are prohibited:				
	 A. Scuba diving and snorkeling in swimming, docking or mooring areas B. Diving in waters open to vessels without a diver's flag 	50.00 50.00			

PART 4. VEHICLES AND TRAFFIC SAFETY

4.2 STATE LAW APPLICABLE

Unless specifically covered herein, traffic and the use of vehicles are governed by State law

Vernon's Civil Statutes - Texas

Article 6701d (Uniform Motor Vehicle Act)

Section	51	Reckless driving	50.00
	54	Improver passing - left	40.00
	55	Improper passing - right	40.00
	58	Passing in a no passing zone	40.00
	61	Following too closely	40.00
	71	Failure to yield right of way at intersection	40.00
	75	Failure to yield right of way to emergency vehicle	50.00
	107b	No child passenger safety seat	35.00
	107C	No seat belt driver/passenger	35.00
	132	Defective brakes	25.00
	134	Defective muffler	25.00
Article 6675	a-3a		
Section	5	Failure to display license (No tag issued)	40.00
	7	Expired license tags	30.00
Article 66871	D		
Section	2	No driver's license or expired license	35.00
	13	No driver's license in possession	35.00
	35	Allowing unauthorized minor to drive	50.00

	36	Allowing unauthorized person to drive	50.00	
Article 6675a-5e.1				
Sect:	ion 10b	Violation of handicapped parking restrictions	50.00	
Article 6	701h			
Sect	ion 1c	No insurance 1st offense 2nd offense	75.00 200.00	
4.4	REPORT O	F VEHICLE ACCIDENT		
	pro	lure to report accident resulting in perty damage, personal injury or death hin 24 hours of accident	100.00	
·	tow	lure to notify Superintendent before ing or moving a vehicle involved in an ident, etc.	75.00	
4.10 TRAVEL ON ROADS AND DESIGNATED ROUTES				
	est in	rating a motor vehicle outside ablished park roads or parking area or area designated for off-road motor icle use	100.00	
	c. 1. 2.	Operating a motor vehicle not equipped with pneumatic tires Operating a motor vehicle in a manner that cause unreasonable damage to the	25.00	
	3.	surface of a park road or route Operating a motor vehicle on a route or area designated for off-road motor vehicle use, from 1/2 hour after sunset to 1/2 hour before sunrise, without activated headlights and	50.00	
A 11	TOND THE	taillights	25.00	
4.11	4.11 LOAD, WEIGHT AND SIZE LIMITS			
	B. 1.	Operating a vehicle that exceeds load, weight or size limit Failure to obtain a permit	100.00 100.00	
	3. 4.	Violating a term or condition of a permit Operating a motor vehicle with an auxiliary detachable side mirror that	100.00	

		extends more than 10 inches, etc.	100.00			
4.12	2 TRAFFIC CONTROL DEVICES					
		ure to comply with directions of a traffic rol device	50.00			
4.13	OBST!	OBSTRUCTING TRAFFIC				
	A. B.	Stopping or parking a vehicle upon a park road without authorization Operating a vehicle so slowly as to	50.00			
		interfere with normal flow of traffic	50.00			
4.14	<u>OPEN</u>	CONTAINER OF ALCOHOLIC BEVERAGE				
	В.	Carrying or storing a bottle can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal is broken or the contents of which have been partially removed, within a motor vehicle.	50.00			
4.20	RIGHT OF WAY					
	Failure to yield right of way to pedestrians, saddle and pack animals or vehicles drawn by animals. 50.00					
4.21	SPEE	D LIMITS				
	Operating a vehicle at a speed in excess of the speed limit					
	1.	Speed in excess of maximum limits 15 MPH zone: 25 MPH zone: 45 MPH zone: 1-10 miles above posted limit 11-15 miles above posted limit 21-25 miles above posted limit 21-25 miles above posted limit 31-35 miles above posted limit 31-35 miles above posted limit 36-40 miles above posted limit Specially posted speed limits: 1-10 miles above posted limit 11-15 miles above posted limit 11-25 miles above posted limit 21-25 miles above posted limit	35.00 45.00 55.00 65.00 75.00 90.00 105.00 35.00 45.00 55.00			
		26-30 miles above posted limit 31-35 miles above posted limit	75.00 90.00			

4.22	<u>UNSAI</u>		miles above posted limit RATION	105.00
	B.	2.	Operating a motor vehicle without due care or at a speed greater than that which is reasonable and prudent Operating a motor vehicle in a manner which unnecessarily causes its tires to squeal, skid or break free of the	50.00
			road surface Failure to maintain control of a	50.00
		;	motor vehicle	50.00
			Operating a motor vehicle while allowing a person to ride: i. On or within any towed vehicle not specifically designated for	
			carrying passengers ii. On any exterior portion of a motor vehicle not designed or intended for the use of a	50.00
			passenger	50.00
4.23	OPERI DRUGS		UNDER THE INFLUENCE OF ALCOHOL OR	
	A.	contri.	ting or being in actual physical of or a motor vehicle while: Under the influence of alcohol, or a drug, or drugs, or any combination thereof The alcohol concentration in the operator's blood or breath is 0.10 grams or more of alcohol per 100 millimeters of blood or 0.10 grams or more of alcohol per 210 liters of breath	*
4.30	BICY	CLES		
	A. D.		f a bicycle in a prohibited area Possessing a bicycle in a wilderness area	25.00 25.00
			Operating a bicycle during periods of low visibility or while traveling through a tunnel, or between sunset and sunrise without a while light or reflector	25.00
		3.	Operating a bicycle abreast of	
		4.	another bicycle without authorization Operating a bicycle while consuming an alcoholic beverage or carrying in hand an open container of an	25.00

		alcoholic beverage	25.00
	4.31	HITCHHIKING	
		Hitchhiking or soliciting transportation in undesignated area	25.00
PART	5.	COMMERCIAL AND PRIVATE OPERATIONS	
	5.1	ADVERTISING WITHOUT PERMIT	50.00
	5.2	ALCOHOLIC BEVERAGES; SALE OR INTOXICANTS	
		A. Unlawful sale of alcoholB. Sale of alcohol on private lands:	100.00 100.00
	5.3	ENGAGING IN BUSINESS WITHOUT PERMIT	100.00
	5.4	COMMERCIAL PASSENGER-CARRYING MOTOR VEHICLES	
		A. Commercial transportation (passenger- carrying motor vehicle) of passengers	
		without permit B. Oversized passenger-carrying vehicles	50.00 50.00
	5.5	COMMERCIAL PHOTOGRAPHY	
		A. Commercial television or motion pictures	
		without permit B. Commercial still photography without	200.00
		permit	200.00
	5.6	COMMERCIAL VEHICLES	
		B. Prohibited commercial use of park road	100.00
	5.7	CONSTRUCTION OF BUILDINGS OR OTHER FACILITIES IN PARK WITHOUT PERMIT	*
	5.8	DISCRIMINATION IN EMPLOYMENT PRACTICES	
		A. Unlawful discrimination B. Failure to post required notice	* 25.00
	5.9 <u>DISCRIMINATION IN FURNISHING PUBLIC</u> <u>ACCOMMODATIONS AND TRANSPORTATION SERVICES</u>		
		A. Unlawful discrimination B. Failure to post required notice	* 25.00
	5.10	EATING, DRINKING, OR LODGING ESTABLISHMENTS	

A.	Failure to obtain or lodging on pri			f food	*
В.	Comply with Feder and regulations			s laws	100.00
5.13 <u>CREA</u>	ATION OF NUISANCE				100.00
5.14 <u>UNLA</u> LEAS	AWFUL PROSPECTING	, MINING	AND MI	NERAL	100.00

*MANDATORY APPEARANCE REQUIRED